

MEMORANDUM

TO: District of Columbia Zoning Commission
FROM: *JLS*
Jennifer Steingasser, AICP
Deputy Director, Development Review & Historic Preservation
DATE: January 3, 2021
SUBJECT: ZC Case 21-23 – Request for Emergency Action by Applicant for Case 21-23.

I. RECOMMENDATION

The Office of Planning (“OP”) does not recommend the Zoning Commission take emergency action to adopt the proposed text amendments to Subtitle I §§ 502.3, 516.2, 531.4, 539.2, 547.3, 555.2, 562.3, 569.2 of the Zoning Regulations, submitted by the Office of Attorney General in ZC Case 21-23.

The applicant states the emergency is necessary for the “immediate preservation of the public ... welfare.” However, there is no accompanying economic data or financial modeling to assess the impact of such an immediate change. It is important to the integrity of the Inclusionary Zoning (“IZ”) program that the economic impacts of amendments be understood.

The two cases that the applicant cites as creating the need for emergency action were properly filed under applicable regulations. They have already been through public hearings, been approved by the Zoning Commission and are vested under section A-301.7.

Prior to recommending the cases be set down for a public hearing, OP will analyze the impacts of ZC Case 21-23, ZC Case 21-24 and ZC Case 21-25 and their potential impact on the production of housing and IZ units. OP will analyze the proposed amendments including a detailed assessment of the financial impacts of the proposed major changes to the IZ regulations. OP will report back to the Commission as part of our set down report.